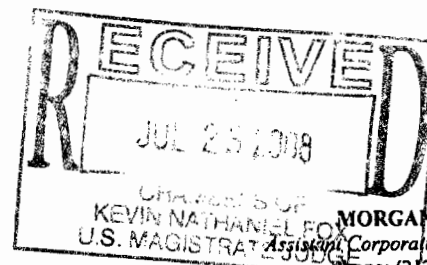


THE CITY OF NEW YORK
LAW DEPARTMENT

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July 23, 2008

BY FAX: (212) 805-6712

Honorable Kevin Nathaniel Fox
United States Magistrate Judge
500 Pearl Street, Room 540
New York, New York 10007

MEMO ENDORSED

Re: Angel Perez, by his mother and natural guardian,
Jeanette Muniz v. City of New York, et. al.,
07 Civ. 10319 (RJS)(KNF)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants in the above referenced action. I write on behalf of both parties to jointly request that the settlement conference currently scheduled for July 28, 2008 at 2:30 p.m. be adjourned to a date and time convenient to the Court after the close of discovery. The Court previously adjourned this conference once before at plaintiff's requests.

Fact discovery in this matter is scheduled to close on August 1, 2008, however, the parties plan to jointly request that discovery be extended until August 29, 2008, as there are several depositions that we have been unable to schedule. The parties were not able to schedule the remaining depositions before the July 28, 2008 settlement conference because of prior commitments and scheduling conflicts with the deponents. The deposition of one defendant was previously scheduled for July 22, but had to be moved due the defendant's family obligations. A non-party witness is out of the country until August 26, 2008, and another non-party witness is currently scheduled for a deposition on July 30, 2008, but that date may need to be moved based on the schedule of the deponent. The parties believe that the remaining depositions could potentially affect their respective settlement positions, and accordingly that the settlement conference will be more beneficial if held after the close of fact discovery. Moreover, the parties have been actively engaged in settlement discussions and are hopeful that they can resolve this matter without assistance from the Court.

Accordingly, the parties jointly request that the settlement conference be adjourned until a date convenient to the Court after August 29, 2008. Should the Court grant this

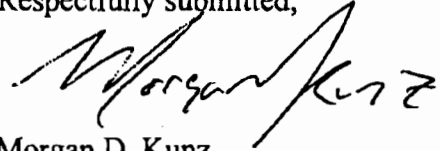
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request, the parties are available on September 4, 2008 or September 5, 2008, preferably in the morning.

I thank the Court for its time and attention to this matter.

Respectfully submitted,



Morgan D. Kunz
Assistant Corporation Counsel
Special Federal Litigation Division

Cc: Nicole C. Barnum, Esq., Attorney for plaintiff (By Fax)

7/28/08

The settlement conference previously
scheduled for July 28, 2008, will be held
on October 1, 2008, at 2:30 p.m.

SO ORDERED:

Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.